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**EGYPT**



# PROPOSED TRAINING COURSE FOR REPD MEMBERS ON PUBLICITY AND NOTARIZATION OPERATIONS

EGYPT FINANCIAL SERVICES PROJECT  
TECHNICAL REPORT #52

APRIL 2006

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## DATA PAGE

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Activity:	Activity 2.3.21: Operational and Resource Plan for First Registration
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## **Introduction**

- Egypt Financial Services USAID Project, Chemonics International, undertakes implementing an extensive four-year program, during which it provides assistance to the Ministry of Justice and the Egyptian Survey Authority.
- "Improving the real estate registration system in the urban areas" is one of the four principal tasks of the project that aims at the integrity of properties and provides an essential basis which guarantees the success of mortgage finance.

Therefore, training all participating sectors in the registration process is deemed the most significant objective of the project. EFS established a training facility with sophisticated training equipment. Furthermore, a specialized theoretical and practical training program was prepared by local and international experts, and selected professionals, experienced in the publicity and notarization operations.

### **1. Training Premises**

EFS established and furnished a training facility at 17 Saleh Seleem St. (formerly Okasha), 8<sup>th</sup> floor, with equipment to serve the training program.

### **2. Training Style**

- Theoretical training (lectures and interviews)
- Practical training (on publicity operations, reviewing books and records, correspondences and publicity forms used in the district offices and REP office)

### **3. Training Duration**

The course shall be implemented within three weeks.

### **4. Trainees**

Heads of REP district offices and their deputies in the first phase carried out by the project.

### **5. Training-Day System (two lectures)**

- Lectures start at 9:00 am.
- The lecture lasts for two hours.
- Trainees shall be given a one-hour break between both lectures.

## **6. Training Incentives**

- The project is concerned with providing an incentive to the trainees, represented in the following:
  - cash incentive (transportation allowance)
  - in-kind incentive (course completion certificate)

## **7. Trainers**

The project is keen that trainers should be specialized professionals who are well-known with their distinctive professional level, ability to communicate information and convey knowledge in the field of publicity, title registration and fees.

## **8. Lectures, Interviews and Practical Training Program**

### **Day 1:**

- A welcome remark by the Chief-of-Party
- Explaining the program
- Assistant Minister of Justice speech
- Introducing trainees
- Half-hour break

#### First Lecture:

#### Lecturer:

Mrs. Sanaa Al-Sayed Al-Kady – Ex-Head of the Real Estate Publicity Sector

Duration: 2 hours

#### Subject:

#### REP office competencies:

(Technical and financial review of documents, recording, making notation to indicate its publicity, photocopying, filing documents, preparing indices, margin notation, real estate certificates, delivering copies of the documents, review license)

#### District Office Competence:

(Geographic competence, receiving applications, reviewing and making a "valid for publicity" notation after accepting it)

#### Notarization Office Competencies:

(Receiving drafts valid for publicity, estimating fees, recording documents in the ratification book, notarization operations)

## **Day 2:**

### First lecture:

#### Lecturer:

Mr. George Al-Gamal, Ex-Manager of Technical Office, Head of REP Sector.

Duration: 2 hours

#### Subject:

Competencies of the REP District Director are receiving applications:

(Reviewing reasons of suspending applications and drafts, reviewing the documents drafts as a second review, making a "valid" notation and stamping them, informing the concerned persons of the procedures, required documents, replying to their queries, eliminating any hardship or barriers, recording in the applications and contradicting drafts book, following up the contradiction procedures, overload review, reviewing the complaints submitted to the district office or those referred to it by the office and expressing an opinion, administrative supervision over the district office)

### Second Lecture:

#### Lecturer:

Mr. George Al-Gamal, Ex-Manager of Technical Office, Head of REP Sector

Duration: 2 hours.

#### Subject:

Competencies of the REP District Director are receiving applications:

(Filing the application, conditions of completing the application, role of the District Director upon filing the application and how to verify the personality and capacity of the applicant, regulating rules of recording mailed publicity applications, recording the application and the role of the applications clerk and the District Director, data that should be included in the publicity applications)

### **Day 3:**

#### First Lecture:

##### Lecturer:

Mr. Saeid Al-Maghraby, REP Sector Ex-Head

Duration: 2 hours

##### Subject:

Publicity application procedures:

(Legacy publicity applications and the filing method, data that should be included in the application, application fees, application effective period, extension request and its effective period, initial review of the application, application recording status that indicates if it is not within the district competency, referring the application to the survey offices, how to expedite it, district role after referral and receiving the cadastral information form, amending the publicity applications and the acceptance cases, withdrawal of applications, suspended applications, how to observe precedence, how to make notation of the contradicting applications, specified maturities, disregarding the precedence and reasons thereof)

#### Second Lecture:

##### Lecturer:

Mr. Saeid Al-Maghraby, REP Sector Ex-Head

Duration: 2 hours

##### Subject:

Reviewing the contracts applications and drafts at the district office:

(Contract parties who are subject to the "ill-gotten gains law" no. 62 of 1975, their data, personalities, capacities, span of control, goodwill, its importance, general and special power of attorney, self-contracting, power of attorney issued overseas and the conditions of accepting the agency, guardianship, who is the guardian, his authorities, minor's actions and their limits, custodianship, special custodian, legal assistance, restraint on alienation)

## **Day 4:**

### First Lecture:

#### Lecturer:

Mr. Abdel Aleem Al-Radeeny, REP Sector Ex-Head

Duration: 2 hours

#### Subject:

Reviewing applications and drafts at the district office:

(Property description, necessary data for spotting the property, contracts accepted to prove the original deed, preference of ownership documents, verifying the date and procedures that should be considered by the district office, method of writing the investigation report at site, long term appropriation, procedures, how to file grievance against the committee operations, cases where ownership cannot be based upon appropriation, processing the deal in case of the seller or the purchaser's death, legacy publicity)

### Second lecture:

#### Lecturer:

Mr. Saeid Al-Maghraby, REP Sector Ex-Head

Duration: 2 hours

#### Subject:

#### Ownership:

(Common ownership, general rules of the partners' disposition, heirs' disposition of the legacy properties, transactions conducted by a guardian of a group of common owners, division of inherited properties, strata title and strata multi-owners, data that should be included in the publicity application for an apartment or storey, issues that should be regarded in such applications, TAKLEEF and contracts that require changing the TAKLEEF, data that should be mentioned in the contracts publicity applications that require changing the TAKLEEF, cases where a difference is detected between the Mokalafa books and the physical appropriation, using the Mokalafa books at the Real Estate Taxation District Offices)



## **Day 5:**

### First lecture:

#### Lecturer:

Mrs. Ebtesam Habeeb Michael, Head of REPD.

Duration: 2 hours.

#### Subject:

#### Subordinate physical rights:

(Listing the subordinate physical rights for the year 1946, mortgage, competence, seller, contractor and architect's lien, renewing and writing off the physical rights)

### Second lecture:

#### Lecturer:

Mrs. Ebtesam Habeeb Michael, Head of REPD.

Duration: 2 hours

#### Subject:

#### Lawsuits and rulings:

(Lawsuit petitions subject to publicity, district office role in reviewing the applications related to approving the petitions, reviewing real estate lawsuits related to the State funds, general rules of reviewing the rulings subject to publicity, rulings of signature validity that may be publicized, conditions and rules of reviewing the rulings of contract and signature validity).

## **Day 6:**

### First lecture:

#### Lecturer:

Mr. Saeid Solaiman Al-Maghraby, Endowment Sector Head.

Duration: 2 hours.

#### Subject:

#### Endowment and monopoly:

(?????, rules of reviewing the publicity applications for canceling the endowment on ???, required documents, the district relation with the General Department of Endowment and Accounting at the Ministry of Endowment, an idea of the operations of the Division Committees at the Ministry of Endowment, its resolutions and justifications, expropriation publicity applications, method of reviewing them and the attached documents, administrative seizure procedures and the dues upon which the administrative seizure takes place, cases refused by the district office)

### Second lecture:

#### Lecturer:

Mr. Saeid Solaiman Al-Maghraby, Endowment Sector Head

Duration: 2 hours.

#### Subject:

#### Division of lands for construction:

(What is meant by division, competent entity for approval, procedures to be followed in respect of applications of the division drafts, procedures of publicizing resolutions of dividing lands, district office role in reviewing them, required documents, method of publicizing the eminent domain resolutions)

## **Day 7:**

### First lecture:

#### Lecturer:

Mrs. Layla Gameel, Ex-Head of the Central Department for Legal Research Affairs at the REPD.

Duration: 2 hours

#### Subject:

#### State public properties:

(What is deemed a public fund, its legal status, method of disposition thereof, the time when this capacity is lost, the risk of holding any transaction thereon, dwelling streets and alleys, cemeteries, houses located within Cairo cemeteries and the possibility of disposition of lands or buildings, internal and external water surfaces, the surrounding or adjacent lands, monuments and applications in respect of properties located in monument regions and actions to be considered)

### Second lecture:

#### Lecturer:

Mrs. Layla Gameel, Ex-Head of the Central Department for Legal Research Affairs at the REPD.

Duration: 2 hours

#### Subject:

#### State private properties:

(Dividing and defining lands of the State private properties, provisions of the adjacent lands that are extended outside the borders by 20 km, managing, utilizing and disposing of the desert lands subject to law no. 143 of 1981 and the ban on restricting ownership to Egyptians and the relevant exceptions, vacant companies and method of reviewing their applications, competence of the Armed Forces Land Projects Department)

## **Day 8:**

### First lecture:

#### Lecturer:

Mr. Mohammad Zenhom Ismail, REPD Sector Head

Duration: 2 hours

#### Subject:

#### Agricultural reform:

(Limitations on legal ownership of agricultural lands and the exceptions thereof, conditions of disposition by the person subject to the Agricultural Reform Law, documents, what is not deemed an agricultural land in the application of the law provisions, consideration of the owner's disposition that precedes the effective date of the law and the necessary documents, cases where contracts are publicized even if its consequence shall be increasing ownership of the alienee than the permitted right, procedures followed in respect of the applications involving division of agro-lands whose party is the owner and subject to the law, board resolutions of the General Authority for Agricultural Reform that should be publicized and the procedures thereof)

### Second lecture:

#### Lecturer:

Mr. Mohammad Zenhom Ismail, REPD Sector Head

Duration: 2 hours

#### Subject:

#### Confiscation and nationalization:

(Nature of funds confiscated, how it can be assigned to the State, method of publicizing transactions issued by the competent entity that the confiscated funds are alienated to it, the impact of dispositions done by the owner prior to confiscating his funds and how it is publicized, what is nationalization, provision of publicizing the nationalization decrees and laws and method of publicizing it, the competent entity in charge of issuing decisions of restraint on alienation, method of monitoring the names of restrained persons, scope of receivership over the funds of the restrained persons, provisions of law no. 150 of 1964 in respect of managing such funds and the competent entity)

## **Day 9:**

### First lecture:

#### Lecturer:

Mr. Kamel Abd Rabou, Ex-Head of REPD Sector

Duration: 2 hours

#### Subject:

##### Public sector authorities and companies:

(Nature of the general authority funds and who represents it, incorporating public sector companies and who represents them, determining the concept of the assembly and private institution, how to publicize and amend it, publicizing the foreigners' transactions and contracts, definition of the "foreigner" and the ban stipulated in law no. 5 of 1963 amended by law no. 104 of 1985, span of the ban, investment companies and drafts, article 12 in law no. 8 of 1997 in respect of owning construction lands and properties for practicing activities of investment companies, non-Egyptians' ownership of constructed buildings, conditions of disposition, procedures of the district office and Non-Egyptians' Ownership Affairs Office)

### Second lecture:

#### Lecturer:

Mr. Kamel Abd Rabou, Ex-Head of REPD Sector

Duration: 2 hours

#### Subject:

##### Housing cooperatives:

(Publicizing the cooperative title deed, treatment of dispositions by a cooperative member to another member or other person, definition of "gift", sales where the purchaser is discharged of paying the price, assigning the deal to the pre-emptioner, how to publicize the bequest contract, how to review the contract drafts subject to publicity)

## **Day 10:**

### First lecture:

#### Lecturer:

Mrs. Sanaa El-Sayed El-Kady, Ex-Head of REPD Sector

Duration: 2 hours

#### Subject:

#### Application contradiction:

(What is a contradiction and its cases, how to detect a contradiction, procedures of the district office and the office, consequences of neglecting the application precedence, receiving and delivering publicity applications and contract drafts, providing copies of the applications and the related papers)

### Second lecture:

#### Lecturer:

Mrs. Sanaa El-Sayed El-Kady, Ex-Head of REPD Sector

Duration: 2 hours

#### Subject:

#### Publicity procedures in the offices:

(Publicity book and procedures of recording thereon, precedence book, how to review the contracts submitted for publicity, reasons leading to suspending the precedence publicity, contradiction and suspension book, how to correct errors in the publicity book)

## **Day 11:**

### First lecture:

#### Lecturer:

Mr. Abdel Aleem Al-Raddeiny, Ex-Head of REPD Sector

Duration: 2 hours

#### Subject:

#### Temporary publicity:

(Nature of temporary publicity, reasons, procedures of the office that should be followed upon requesting temporary publicity, temporary publicity cases book, judge's decrees in respect of temporary publicity, how to fix or cancel the temporary publicity number, publicity via deposit, marginal notations that entail changing the TAKLEEF and those which do not entail a change)

### Second lecture:

#### Lecturer:

Mr. Abdel Aleem Al-Raddeiny, Ex-Head of REPD Sector

Duration: 2 hours

#### Subject:

#### Marginal notation:

(Applications, precedence book, cases where the notation request is referred to the district office, how to make marginal notation, notifying the competent district office of the marginal notations, archiving notation documents, informing the General Archive Authority, how to file a grievance against archiving the notation request)

## **Day 12:**

### First lecture:

#### Lecturer:

Mr. Fawzi Abu El-Saoud, Ex-Director of the Central Department for Title Registration

Duration: 2 hours

#### Subject:

#### Title registration:

(Difference between the title registration and deed registration, competence of the General Department for Title Registration, competence of the title registration offices, competence of the title registration district offices, competence of the survey offices, introducing title registration, introducing the survey section, introducing real estate unit, identifying the survey sections and competencies of the Title Registration Department, contracts publicity applications and the required documents, district office procedures regarding referral of ownership by appropriation)

### Second lecture:

#### Lecturer:

Mr. Fawzi Abu El-Saoud, Ex-Director of the Central Department for Title Registration

Duration: 2 hours

#### Subject:

#### Cadastral information form:

(Issuing the form, recording on the form, district office procedures after recording, cases where the survey data in the cadastral information form is different from that indicated in the customary (Orfi) contract, title survey book, legal review of the survey book, complaint review, completing and approving the book)



## **Day 13:**

### First lecture:

#### Lecturer:

Mr. Omar Ismail, Director of the Central Department for Title Registration Affairs

Duration: 2 hours

#### Subject:

#### Certificate of Title:

(Writing certificate of titles, preparing indices, publication lists, owners' notifications, survey maps, photography operations, forming legal committees and their competencies, procedures to be followed before the committee as per article 12 in the Title Registration Law, contracts subject to registration)

### Second lecture:

#### Lecturer:

Mr. Omar Ismail, Director of the Central Department for Title Registration Affairs

Duration: 2 hours

#### Subject:

#### Application registration procedures:

(At the district office, office, contract that can be registered, recording on the certificate of title, change and correction of title registration data)

## **Day 14:**

### First lecture:

#### Lecturer:

Mrs. Layla Saadoun, Ex-Director of the Central Department for Notarization Affairs

Duration: 2 hours

#### Subject:

#### Notarization operations:

(Notarization operations competence, offices competence, contracting parties' competence, consent, capacities and authorities, restraints on disposition competence, capacities of the replacement persons and their scope of authorities)

### Second lecture:

#### Lecturer:

Mrs. Layla Saadoun, Ex-Director of the Central Department for Notarization Affairs

Duration: 2 hours

#### Subject:

#### Notarization procedures:

(Notarized contracts, signature ratification, indicating dates, assignment, bequest, ???).

**Day 15:**

First lecture:

Lecturer:

Mrs. Layla Mahmoud Ezzat, Director of the Central Department for Financial Inspection Affairs.

Duration: 2 hours

Subject:

Fees:

(Law no. 70 of 1964 and its amendments, types of fees and taxes, exemptions, responsibilities of office financial audit)

## **Practical Training**

Duration: 2 days

First day:

First Period: 2 hours

Subject:

1. Treatment of publicity application:
  - a. Application
  - b. Filling out the application
  - c. Estimating fees
  - d. Initial application review (initial price and registration notation)
2. Method of recording the application on the applications book
3. Reviewing the survey data
4. Writing reasons of suspension
5. Acceptance notification (form)
6. How to review the submitted drafts

Second Period: 2 hours

1. How to prepare the cadastral information form
2. A statement of how to review the cadastral information form

Second day:

First period: 4 hours including one hour break

1. Training on writing the draft contract
2. Training on reviewing the draft subject to publicity
3. Training on technical review operations
4. Training on estimating the fees
5. Training on computer operation

**Day 18:**

1. Trainers and trainees general discussion on the theoretical and practical subjects addressed
2. Oral examination by the lecturer in-charge so as to determine the trainees' level of comprehension
3. Closing

**Form No. (1)**

Arab Republic of Egypt  
Ministry of Justice  
..... District Office

Real Estate Publicity Application Form

Registration No. ....
Registration Date .....
Time .....

Real estate application  
Subject: consensual sale  
Applicant name: .....  
Capacity: .....  
Capacity document: .....  
ID: .....

Determined Fees
-----------------

.....
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To: District Office Director

Dear Sir,

Please take the necessary action towards reviewing this application and informing me of its acceptance in preparation of writing the draft. I hereby pledge to present the required documents and I'm ready to pay the determined expenses and fees.

Best Regards,

.....  
Applicant Signature

.....  
District Director Approval

**Form No. (2)**

**(Application Suspension)**

Real Estate Publicity & Notarization Department

Office: .....

District Office: .....

Mr. .... residing at .....

Dear Sir,

Please be informed that upon reviewing the application submitted by you, under no. .... of ....., it was figured that it is incomplete and you are required to submit the following documents in order to approve your application for publicity:

1. ....
2. ....
3. ....
4. ....

Best Regards,

Issued on    /    /

.....  
District Director



**Form No. (3)**

**Application Acceptance Notice**

Real Estate Publicity & Notarization Department

Office: .....

District Office: .....

Application no.: .....

Subject: .....

Metes and bounds: as per the attached cadastral information form received from the Survey Office under no. .... on / / .

Takleef item: .....

Title item: .....

Price item: .....

Third party rights: .....

Contradiction: .....

Parties: .....

District office notes:

.....  
.....  
.....  
.....

Mr. .... Residing at .....

Dear Sir,

Our district office is pleased to inform you of accepting your application no. .... of ..... for publicity. Please find above the survey data of the real estate and the district office notes. Please write the draft as such and submit it to the district office for review.

Best regards,

Issued on / /

.....  
District Director

### Names and Signatures of the Transaction Parties

Triple name	Age	Nationality	Profession	Address
Issued to the interest of	.....	.....	.....	.....
Issued against	.....	.....	.....	.....

Corner/	Center / Section	Governorate/
Metes S/T/F/ meter	Parcel no.	No. of Basin
		Bounds North South East West

Price: .....

Takleef: .....

Seller title deed .....

Physical rights: .....

#### List of documents

##### 1. Documents to be attached with the application

1.	2.	3.
----	----	----

##### 2. Documents required to be submitted

1.	2.	3.
----	----	----

Signature of the defendant

Signature of the claimant